



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Art Unit: 1641
Yoav PALTIELI et al.) Examiner: Bao Thuy L. Nguyen
Serial No.: 09/937,706)
Filed: October 1, 2001) January 18, 2004
For: ANTIBODIES TO PLACENTAL)
PROTEIN 13) Docket No.: PALTIELI=1
Confirmation No.: 5124)

DECLARATION OF BIOLOGICAL MATERIAL DEPOSIT

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

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FEB 12 2004

TECH CENTER 1600/2900

Sir:

I, Hamutal MEIRI, hereby declare and state that:

1. The following biological material, referred to in the specification of this application, has been deposited and has received the following accession number(s) by the depository:

26-2
strain

27-2-3
strain

215-28-3
strain

534-16
strain

6-6-8-11-67
strain

I-2134
accession number

I-2135
accession number

I-2136
accession number

I-2137
accession number

I-2138
accession number

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2. The above deposits were made on March 4, 1999,
which were:

(check appropriate item below)

before the effective filing date of this application.

after the effective filing date of this application and a verified statement pursuant to 37 CFR 1.804(b) is attached hereto, stating that the biological material which was deposited is a biological material specifically identified in the application as filed.

3. The name and address of the depository is:

Collection Nationale de Cultures de
Microorganismes of the Pasteur Institute
25, Rue du Docteur Roux, Paris, France

4. The biological material deposited is capable of self-replication, either directly or indirectly, and

(check appropriate item below)

The deposit of the biological material described above was made and accepted under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure (hereinafter Budapest Treaty) and therefore the filing of a viability statement is unnecessary (37 CFR 1.807(b)).

A statement that the biological material deposited with the above named depository was viable and was

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capable of reproduction on the date of deposit is attached. Such is executed by:

(complete a, b or c below)

- a. the depository
- b. the applicant
- c. a competent third party

5. With respect to the permanence of the biological material deposit:

(check appropriate item below)

X The depository is an official depository in accordance with the Budapest Treaty and the deposit of the biological material described above was made and accepted under the Budapest Treaty such that samples will be available beyond the enforceable life of the patent for which the deposit was made.

 The contract with the above-mentioned depository with respect to the deposited biological material provides that the depository will afford permanence of the deposit for at least 30 years and at least 5 years after the most recent request for the furnishing of a sample of the deposit was received by the depository, samples being available beyond the enforceable life of the patent for which the deposit was made.

I affirm that should the depositor be notified by the depository that it either cannot furnish samples thereof or can furnish samples thereof but the deposit has become contaminated or has lost its capability to function as

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described in the specification, depositor will proceed in accordance with 37 C.F.R. §1.805.

6. With respect to availability of the biological material, I affirm that the deposit has been made under conditions that assure that (a) access to the deposit will be available during pendency of the patent application to one determined by the Commissioner to be entitled thereto under 37 CFR 1.14 and 35 USC 122, and (b) subject to 37 CFR 1.808(b), all restrictions imposed by the depositor on the availability to the public of the deposited material will be irrevocably removed upon the granting of the patent.

7. I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Hamutal Meiri
Type or print name of person signing

18 January 2004
Date

Hamutal Meiri
Signature

DIAGNOSTIC
TECHNOLOGY LTD

Inventor
 Assignee of complete interest
 Person authorized to sign on behalf of the assignee

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DIAGNOSTIC TECHNOLOGIES, LTD.

Type name of assignee

49 HaHistadrut St. PoBox 25266, Haifa 31250, Israel
Beit Etgarim, Etgar Street 4, 39120 Tirat HaCarmel, Israel

Address of assignee

H.M.
DIAGNOSTIC
TECHNOLOGY LTD

Title of person authorized to sign on behalf of assignee:

Chief Executive Officer